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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/611,473

Applicant(s)

KAZUNOBU ET AL.

Examiner

ALI BAYAT

Art Unit

2624

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 2/18/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 3-5, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments filed on 2/18/08 have been fully considered but they are not persuasive. On page 3 of applicant's applicant argues that, Dutta To restate, paragraph 0019 of Dutta teaches the production of image data through processing Bayer data. Paragraph 0019 does not in any way disclose extracting raw or Bayer data from image data, as recited, in one form or another, in each of Claims 1, 13, and 19. The reference in the Official Action that "producing image 13, by processing element 26b corresponds to extracting the raw data" is technically incorrect, as image data and raw data are distinct entities, as is made clear by the specification of the present application (and, for that matter, Dutta). For at least this reason, Applicants respectfully submit that Claims 1, 13, and 19, and the claims depending therefrom, are patentable over Dutta.

Examiner respectfully disagree with the applicant , the raw data 11 in Fig.3 is directed to image processing block 26b in camera image processing in mobile phone processor, however when you transmitting any kind of digital data for processing , the data first need to be stored in some kind of storage such as element 2 or 4 in Fig.3. however Dutta does not specifically point to storing of data 11, therefore storage of raw data 11 is inherent in mobile phone processor, further see Para.17 "a camera image processing block 26b that operates as a camera image processor and interfaces 26c to storage devices SDRAM 2 and memory card 4" this corresponds to extracting the raw data such as data 11 from the storage devices 2 and 4).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 6-14 and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Dutta et al. (Pub. No.: US 2006/0221230 A1)

The applied reference has a common assignee (NOKIA) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In regard to claim 1, Dutta provides for a method of processing an image captured by a mobile camera telephone (Fig.3 note mobile camera telephone), said method comprising: digitizing the image to obtain Bayer data (Fig.3 element 28, Para.18 lines 4-6, note image sensor 12 and ADC digital output 11 is a Bayer data); processing the Bayer data to obtain image data (Fig.3 element 26b, Para.19 note the image processing block 26b, to produce image data 13); and extracting raw data from the image data (Fig.3 element 26b, Para.19 note the

image processing block 26b, to produce image data 13 by processing the bayer data 11, however the data 11 first need to be stored , in storage devices , such as element 2 or 4 in Fig. 3, then producing image 13, by processing element 26b see para.19, however Dutta does not specifically point to storing of data 11, therefore storage of raw data 11 is inherent in mobile phone processor, also see para.17 as explained above) .

With regard to claims 2 and 14, Dutta provides for transmitting the extracted data to a device external to the mobile camera telephone; receiving the transmitted data in the external device; and processing the received data to obtain external device image data (Fig.3 elements 26c (SDRAM interface) for transmitting data to and retrieving data from the SDRAM storage in para.17).

As to claim 6, Dutta provides for a method, wherein the mobile camera telephone includes a camera module and a telephone module (Fig.2 note camera module/ phone system).

In regard to claim 7, Dutta provides for a method, wherein the step of processing the Bayer data is performed within the camera module (Fig.3 element 26b, Para.19 note camera image processing block 26b).

As to claim 8, Dutta provides for a method, wherein the extracting the raw data is performed in the telephone module (Fig.3 data 11 transmitted to element 26, for storage (elements 2 and 4) and processing (element 26b) producing image 13, by processing element 26b corresponds to extracting the raw data see para.19).

With regard to claims 9 and 18 Dutta provides for a method, further comprising of storing the image data in the telephone module prior to the extraction step (Fig.4 element 2, note storage device SDRAM).

In regard to claim 10, Dutta provides for a method, further comprising; encoding the image data (Para. 28, Fig.5, element 32); and decoding the encoded image data (Fig.5 element 34); wherein the encoding and decoding are performed prior to the extraction step (Para.28 Fig.5 element 2, note storage device SDRAM 2, note for displaying the image data, the raw data or image component (RGB) need to be extracted).

With regard to claims 11 and 17, Dutta provides for a method, wherein the encoding is performed according to a JPEG standard (Para. 16, note JPEG).

As to claim 12, Dutta provides for a method, further comprising creating an EXIF file including the JPEG encoded image data and shooting data (Para.16 note JPEG and TIFF, which corresponds to EXIF file).

In regard to claim 13, see the rejection of claim 1. It recites similar limitations as claim 1. Except that claim 13 is a system and claim 1 is a method. Hence it similarly analyzed and rejected.

As to claim 19, see the rejection of claim 1; it recited similar limitations as claim 1. Except for an interface for receiving digitized Bayer data associated with a captured image from an image capturing device (Fig.4 element 27, Para.24 see interface 27. Hence it similarly analyzed and rejected.

With regard to claim 20, Dutta provides for the mobile camera telephone, wherein the image data is RGB data (Para. 18, note RGB color data).

Allowable Subject Matter

3. Claims 3-5 and 15-16 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALI BAYAT whose telephone number is (571)272-7444. The examiner can normally be reached on M-F 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ali Bayat/
Patent Examiner
Division 2624
5/22/08